

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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RICHARD ROSARIO,

Petitioner,

-against-

ROBERT ERCOLE, Superintendent of Green Haven  
Correctional Facility, and ELLIOT SPITZER,  
Attorney General of the State of New York,

Respondents.

Case No. 05 CV 8072 (PKC)

STIPULATION AND  
[PROPOSED]  
SCHEDULING ORDER

WHEREAS, on September 16, 2005, Petitioner Richard Rosario filed a petition for a writ of habeas corpus (the "Habeas Petition"), challenging his incarceration in a New York State correctional facility due to alleged violations of his federal constitutional rights;

WHEREAS, on September 22, 2005, the Court issued an order requiring Respondents to file an answer or motion in response to the Habeas Petition within 60 days from the date of that order;

WHEREAS, the parties to this action have conferred and have agreed upon a briefing schedule that extends beyond the deadline set forth in the Court's September 22, 2005 order;

NOW THEREFORE, the parties hereby submit the following Proposed Scheduling Order:

Deadline for Petitioner's memorandum of law in support of the petition for a writ of habeas corpus:	On or before 12/16/2005
Deadline for Respondents' memorandum of law in opposition to the petition for a writ of habeas corpus:	Within 60 days of service of Petitioner's supporting memorandum of law
Deadline for Petitioner's reply memorandum of law in further support of the petition for a writ of habeas corpus:	Within 30 days of service of Respondents' opposition

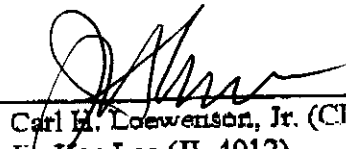
Dated: New York, New York  
November 9, 2005

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November 9, 2005


MORRISON & FOERSTER LLP

DISTRICT ATTORNEY FOR BRONX COUNTY

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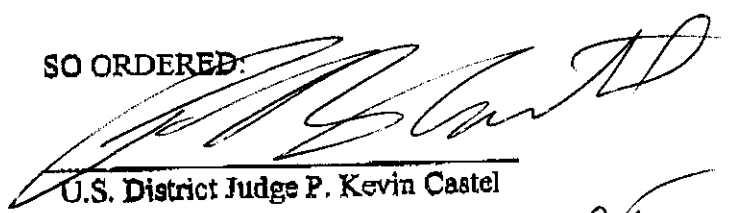
  
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*Attorneys for Respondents*

*Attorneys for Petitioner*

SO ORDERED:

  
U.S. District Judge P. Kevin Castel

ny-664422